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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :

PROCEEDINGS AGAINST:	FINAL DECISION AND ORDER
WILLIAM J. LEONARD, R.Ph.	98 PHM 73
RESPONDENT.	LS9902093PHM

The parties to this action for the purposes of §227.53, Wis. Stats., are:

Mr. William J. Leonard, R.Ph.

2645 Deckner Ave.

Green Bay, WI 54302

Wisconsin Pharmacy Examining Board

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

P.O. Box 8935

Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent William J. Leonard, R.Ph. (dob 12/9/1945) is and was at all times relevant to the facts set forth herein a registered pharmacist licensed in the State of Wisconsin pursuant to license #9086, originally granted on 11/11/1976. At all times relevant to the matters set forth below, respondent was the managing pharmacist of Copps Pharmacy, Appleton, Wisconsin, where the conduct set forth below took place.
2. On 12/8/1998, a DOE investigator observed on two occasions an unlicensed practitioner transfer a prescription to a patient without consultation from a pharmacist. Two subordinate pharmacists were on duty, but neither pharmacist had any interaction with either patient. Respondent was not on the premises at the time.
3. A pharmacy technician informed a DOE investigator that her understanding of the pharmacy’s policy was that in cases involving a refilled prescription, a pharmacy technician is to ask the patient if they had any questions. If the patient has any questions, then the pharmacy technician is to get the pharmacist. If the patient had no questions, then the pharmacy technician would complete the transaction without any interaction with the pharmacist.
4. It is the responsibility of a managing pharmacist that all staff understand that a pharmacist is to provide consultation, whether the prescription is new or a refilled or renewed prescription. This duty is non-delegable and is not satisfied by having auxiliary staff ask if the patient has questions.

CONCLUSIONS OF LAW

- A. The Wisconsin Pharmacy Examining Board has jurisdiction to act in this matter pursuant to §450.10, Wis. Stats. and is authorized to enter into the attached Stipulation pursuant to §227.44(5), Wis. Stats.
- B. The conduct described in paragraphs 2, and 3, above, violated § Phar 7.01(1)(e) Wis. Adm. Code. Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that William J. Leonard , R.Ph., is REPRIMANDED for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall FORFEIT \$250, to be paid within 60 days, for his unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that respondent shall pay COSTS in this matter in the amount of \$100, within 30 days of this order.

IT IS FURTHER ORDERED, that pursuant to §227.51(3), Wis. Stats., and ch. RL 6, Wis. Adm. Code, if the Board determines that there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license of respondent be summarily suspended pending investigation of the alleged violation.

Dated this February 9, 1999.

WISCONSIN PHARMACY EXAMINING BOARD, by:

s/Daniel F. Luce, R.Ph.

a member of the board